

DECLARATION FOR PATENT APPLICATION

Docket: 6145-33

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe an original, first and joint inventor with subject matter which is claimed and for which a patent is sought on the invention entitled

MUSICAL INSTRUMENT SYSTEM

the specification of which (check one)

☐ is attached hereto.
☒ was filed on June 23, 1997 as
Application Serial No. 06/879,678,

in the names of the co-inventors:

Full name of first inventor Rob C. Arnold
Residence Des Moines, IA 50312
Citizenship U.S.
Post Office Address 5802 Grand Avenue
Des Moines, IA 50312

Full name of second joint inventor Warren W. Westlund, II
Residence Ames, IA 50021
Citizenship U.S.
Post Office Address 3305 Morningside
Ames, IA 50021

Full name of third joint inventor David Van Koevering
Residence Hermitage, TX 37076
Citizenship U.S.
Post Office Address 5420 Mainsail Lane
Hermitage, TX 37076

Full name of fourth joint inventor Robert D. Lawson
Residence Des Moines, IA 50310
Citizenship U.S.
Post Office Address 3714 Skyline Drive
Des Moines, IA 50310

Full name of fifth joint inventor Lance E. Lyda
Residence Hurst, TX 76054
Citizenship U.S.
Post Office Address 2300 Famington Lane
Hurst, TX 76054

Full name of sixth joint inventor Kenneth R. Noyce
Residence West Des Moines, IA 50265
Citizenship U.S.
Post Office Address 3401 Scenic Valley Drive
West Des Moines, IA 50265

Full name of seventh joint inventor Robert Phillips
Residence Northbrook, IL 60662
Citizenship U.S.
Post Office Address 3223 Arnold Lane
Northbrook, IL 60662

Full name of eighth joint inventor John M. Pursey
Residence Des Moines, IA 50311
Citizenship U.S.
Post Office Address 5612 Brattleboro Avenue
Des Moines, IA 50311

Full name of ninth joint inventor Gary L. Snethen
Residence Des Moines, IA 50322
Citizenship U.S.
Post Office Address 6816 Holcomb Avenue
Des Moines, IA 50322

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| Prior Foreign Application(s) | | | Priority Claimed | |
|------------------------------|-----------|------------------------|------------------|----|
| (Number) | (Country) | (Day/Month/Year Filed) | Yes | No |
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I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| | | |
|------------------------------------------|----------------------------------|-------------------------------------------------------|
| <u>60/020,601</u> (Appln. Serial No.) | <u>06/24/96</u> (Filing Date) | <u>Pending</u> (Status-patent, pending, abandoned) |
| <u>60/021,522</u> (Appln. Serial No.) | <u>07/11/96</u> (Filing Date) | <u>Pending</u> (Status-patent, pending, abandoned) |
| <u></u> (Appln. Serial No.) | <u></u> (Filing Date) | <u></u> (Status-patent, pending, abandoned) |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false

statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint J. Rodman Steele, Jr., Registration No. 25,931; Gregory A. Nelson, Registration No. 30,577; Harvey D. Fried, Registration No. 28,298; Joseph W. Bain, Registration No. 34,290; Robert J. Sacco, Registration No. 35,667; and Ted W. Whitlock, Registration No. 36,965 as my attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, to amend the specification, to appeal in case of rejection, as they may deem advisable, to receive the patent when granted and generally to do all matters and things needful in the premises as fully and to all intents and purposes as I could do.

Please direct all correspondence to: Joseph W. Bain

QUARLES & BRADY
Esperante Building, Fourth Floor
222 Lakeview Avenue
Post Office Box 3188
West Palm Beach, Florida 33402-3188
Telephone: (561) 653-5000

Full name of sole or first inventor Rob C. Arnold

Inventor's signature

Rob C. Arnold

Date

8/12/97

Residence

Des Moines, IA 50312

Citizenship

U.S.

Post Office Address

5802 Grand Avenue

Des Moines, IA 50312

Full name of second joint inventor, if any Warren W. Westlund, II

Second Inventor's signature

Warren W. Westlund, II

Date

8/12/97

Residence

Ames, IA 50021

Citizenship

U.S.

Post Office Address

3305 Morningside

Ames, IA 50021

Full name of third joint inventor, if any David Van Koevering

Third Inventor's signature

Date

Residence

Hermitage, TN 37076

Citizenship

U.S.

Post Office Address

5420 Mainsail Lane

Hermitage, TN 37076

I hereby appoint J. Rodman Steele, Jr., Registration No. 25,931; Gregory A. Nelson, Registration No. 30,577; Harvey D. Fried, Registration No. 28,298; Joseph W. Bain, Registration No. 34,290; Robert J. Sacco, Registration No. 35,667; and Ted W. Whitlock, Registration No. 36,965 as my attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, to amend the specification, to appeal in case of rejection, as they may deem advisable, to receive the patent when granted and generally to do all matters and things needful in the premises as fully and to all intents and purposes as I could do.

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Esperante Building, Fourth Floor
222 Lakeview Avenue
Post Office Box 3188
West Palm Beach, Florida 33402-3188
Telephone: (561) 653-5000

Full name of seventh joint inventor if any Robert Phillips

Seventh Inventor's signature  Date JANUARY 26, 1998

Residence Northbrook, IL 60662

Citizenship U.S.

Post Office Address 3223 Arnold Lane

Northbrook, IL 60662

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Please direct all correspondence to: Joseph W. Bain

QUARLES & BRADY
Esperante Building, Fourth Floor
222 Lakeview Avenue
Post Office Box 3188
West Palm Beach, Florida 33402-3188
Telephone: (561) 653-5000

Full name of sole or first inventor Rob C. Arnold

Inventor's signature Rob C. Arnold Date 8/12/97

Residence Des Moines, IA 50312

Citizenship U.S.

Post Office Address 5802 Grand Avenue

Des Moines, IA 50312

Full name of second joint inventor, if any Warren W. Westlund, II

Second Inventor's signature Warren W. Westlund, II Date 8/12/97

Residence Ames, IA 50021

Citizenship U.S.

Post Office Address 3305 Morningside

Ames, IA 50021

Full name of third joint inventor, if any David Van Koevering

Third Inventor's signature David Van Koevering Date 8/19/97

Residence Hermitage, TN 37076

Citizenship U.S.

Post Office Address 5420 Mainsail Lane

Hermitage, TN 37076

Full name of fourth joint inventor, if any Robert D. Lawson

Fourth Inventor's signature Robert D. Lawson Date 8/12/97

Residence Des Moines, IA 50310

Citizenship U.S.

Post Office Address 3714 Skyline Drive

Des Moines, IA 50310

Full name of fifth joint inventor, if any Lance E. Lyda

^{Fifth}
~~Fourth~~ Inventor's signature Lance E. Lyda Date 8/14/97

Residence Hurst, TX 76054

Citizenship U.S.

Post Office Address 2300 Famington Lane

Hurst, TX 76054

Full name of sixth joint inventor, if any Kenneth R. Noyce

^{Sixth}
~~Fourth~~ Inventor's signature Kenneth R. Noyce Date 8/8/97

Residence West Des Moines, IA 50265

Citizenship U.S.

Post Office Address 3401 Scenic Valley Drive

West Des Moines, IA 50265

Full name of seventh joint inventor, if any Robert Phillips

^{Seventh}
~~Fourth~~ Inventor's signature _____ Date _____

Residence Northbrook, IL 60662

Citizenship U.S.

Post Office Address 3223 Arnold Lane

Northbrook, IL 60662

Full name of eighth joint inventor, if any John M. Pursey

Eighth

~~Fourth~~ Inventor's signature [Signature]

Date August 12, 1997

Residence Des Moines, IA 50311

Citizenship U.S.

Post Office Address 5612 Brattleboro Avenue

Des Moines, IA 50311

Full name of ninth joint inventor, if any Gary L. Snethen

Ninth

~~Fourth~~ Inventor's signature [Signature]

Date August 12, 1997

Residence Des Moines, IA 50322

Citizenship U.S.

Post Office Address 6816 Holcomb Avenue

Des Moines, IA 50322

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Applicant or Patentee: ARNOLD et al.
Serial or Patent No.: _____
Attorney Docket No.: 6145-33
Filed or Issued: _____
For: MUSICAL INSTRUMENT SYSTEM

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 C.F.R. 1.9(f) and 1.27(c)-SMALL BUSINESS CONCERN**

I hereby declare that I am

- ☐ the owner of the small business concern
identified below
☒ an official of the small business
concern empowered to act on behalf of the concern
identified below:

NAME OF CONCERN Van Koevering Company
ADDRESS OF CONCERN 11324 Aurora Avenue
Des Moines, IA 50322

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 C.F.R. 121.12, and reproduced in 37 C.F.R. 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees in the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled _____
MUSICAL INSTRUMENT SYSTEM

by inventors Rob C. Arnold, David Van Koevering, Robert D. Lawson, Lance E. Lyda, Kenneth R. Noyce, Robert Phillips, John M. Pursey, Gary L. Snethen and Warren W. Westlund, II

described in

- ☒ the specification filed herewith
☐ application serial no. _____,
filed _____.
☐ patent no. _____,
issued _____.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having

rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 C.F.R. 1.9(c) or by any concern which would not qualify as a small business concern under 37 C.F.R. 1.9(d) or a nonprofit organization under 37 C.F.R. 1.9(e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 C.F.R. 1.27)

NAME _____

ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME _____

ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Kenneth R. Noyce

TITLE OF PERSON OTHER THAN OWNER President

ADDRESS OF PERSON SIGNING 3401 Scenic Valley Drive
West Des Moines, IA 50265

SIGNATURE  DATE 7/18/97